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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/011,947 02/01/93 PASTRICK

1 DON01-P-538

EXAMINER

PRIORITY, C

ART UNIT

PAPER NUMBER

34M1/0103
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3406

DATE MAILED:

01/03/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 11-26-93 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-24 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☒ Claims 23, 56, 10, 12 - 17 and 19-24 are allowed.

4. ☒ Claims 1, 4, 7, 8, 9, 11 and 18 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

Art Unit 3406

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1, 4, 7, 8, 9, 11 and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over Japanese patent 61-188,242 in view of Lambropoulos et al, Hirano et al, De Fino et al and Stouffer. All of the secondary references teach using a portable transmitter to operate a receiver in an automobile which functions to control activation of various things such as door locks. In De Fino et al the transmitter also controls the automobile headlights to provide the operator with a lighted path in the dark (col. 11, lines 54-56) in addition to vehicle interior lights 249 and parking lights 265. In Stouffer, the interior dome light is operated by means of the transmitter and receiver. Also it is well known to operate a garage door and light by means of a transmitter and receiver.

To substitute for the switch 40 in the Japanese patent a base unit switch controlled by a transmitter as taught above for controlling items such as a door lock, dome light or headlights as taught in the secondary references and a well known garage opener would have been an obvious modification to one of ordinary skill in the art and is seen as producing no new or unexpected results.

In regard to claim 4, to include the light in the rear view mirror in the Japanese patent in the lighting circuit for the interior light of a vehicle would have been obvious to one of ordinary skill in the art and especially when viewed with De Fino et al and Stouffer who respectively operate vehicle headlights and interior lights by means of a transmitter and receiver.

Claims 8 and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over Japanese patent 61-188,242.

The recited "actuator" is read in the Japanese patent as switch 40. The light emitted by the light in the mirror casing in the Japanese patent is considered the obvious equivalent of that recited.

Claims 1, 4, 7, 8, 9, 11 and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over Vu ('430) in view of Lambropous et al, Kirano et al, De Fino et al and Stouffer.

The secondary references are applied to Vu in the same manner as applied above when used in combination with the

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Japanese patent.

Claims 8 and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over Vu ('430).

The recited actuator is read in Vu as the switch 42. The light emitted by the light bin the mirror casing in Vu is considered the obvious equivalent of that recited.

C. DORITY:lm
January 03, 1994
703-308-1437



CARROLL B. DORITY
PRIMARY EXAMINER
ART UNIT 346